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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

INTER-MARK USA, INC., individually  
and on behalf of all persons similarly  
situated,

Plaintiff,

v.

INTUIT INC.,

Defendant.

Case No. C 07-04178 JCS

**[PROPOSED] ORDER GRANTING  
INTUIT'S MOTION TO DISMISS  
PLAINTIFF'S CLASS ACTION  
COMPLAINT PURSUANT TO RULE  
12(b)(6)**

Dept: Courtroom A , 15th Floor  
Judge: Hon. Joseph C. Spero

1           Defendant Intuit Inc.’s (“Intuit”) Motion to Dismiss Plaintiff Inter-Mark, Inc.’s (“Inter-  
2           Mark”) Class Action Complaint came on regularly for hearing before this Court on November 9,  
3           2007, at 9:30 A.M., in Courtroom A, 15th Floor. Both Intuit and Inter-Mark were represented by  
4           counsel. After full consideration of the briefs in support and in opposition thereto, all other  
5           papers submitted in connection therewith, all other matters on file in this action and presented to  
6           the Court, and having heard the arguments of counsel,

7 IT IS HEREBY ORDERED that Intuit's Motion is **GRANTED**, and all claims in Inter-  
8 Mark's Class Action Complaint are **DISMISSED**.

9 IT IS SO ORDERED

Dated: \_\_\_\_\_, 2007

Hon. Joseph C. Spero  
United States Magistrate Judge

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